

Ninth Regular Meeting
September 15, 2009

The Ninth Regular Meeting of 2009 was called to order by the Chair at 6:03 P.M. All Legislative members were present.

Chair Weston asked to have a moment of prayer. “Our Father, please guide us as we travel through life. Forgive us if we have caused pain and suffering to others and bless those who display the goodness and morality that represents your embodiment.”

Chair Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 57 people in attendance.

Denis McCann presented employee of the third quarter 2009 to Margaret Shuler of the Health Department.

Denis McCann spoke. “First I would like to thank the Employee Recognition Committee. We have hard decisions to make every quarter and in particular this quarter we had Loretta Sullivan representing the Legislature, and last quarter we had Tracy Monell assisting us as well. On behalf of the Employee Recognition Committee I would like to thank the Legislature for continuing to support this process, our committee, and the award. I want to mention that Margaret does have plans after and we are going to try to move it along for her, but there is a lot of people that wanted to speak for Margaret today.

“Margaret started with the Tioga County Health Department in 1983 in the Certified Home Health Agency and during her tenure she has worked in a number of programs, all related to the well being of clients. Margaret has cared for residents in our county covering the full spectrum of life from prenatal home visits with expecting mothers to newborns, to well child clinics and immunization for the young and not so young, to adults including respiratory clinics and as a trained HIV Counselor. Margaret has a gift in her way in dealing with and communicating with both clients and fellow employees. After speaking with Margaret you just feel better about life.

“Margaret is well respected by her clients, her colleagues, her supervisors, her directors, and her department head. Earlier this year Margaret was recognized by her fellow Public Health employees as their department’s team member of the quarter. Margaret was also recognized this year for her twenty-five years of dedicated service to the residents of Tioga County and its employees. Noteworthy is that one of the very first Public Health Nurses in Tioga County is here tonight and is

Margaret's mother in-law, Dora Shuler. Margaret on behalf of the Tioga County Employee Recognition Committee thank you for your service and commitment, and congratulations on your recognition as the Tioga County Employee of the Quarter."

Elaine Doupe, Director of Patient Services, spoke. "Margaret works for me and I just think she is probably one of the most wonderful nurses I have ever seen. She not only is very caring, but she is extremely level headed and what I really want to say about Margaret is that she is an ideal employee. She is flexible, she can go with the flow, she is highly organized, she has worked probably in every place in our division including serving as a home care nurse when we were down to four nurses four years ago. She just stepped right in and she does very well.

"She also shows a marvelous gift which is important in Public Health for seeing the positive in other people, knowing how to take that and use that to promote their adjusting and improving their own health and well being. In fact she had this wonderful little saying over her desk for a long time about a mother who vaccinates her daughter with love or something on that order, and that is exactly what Margaret does and I am really hoping her daughter that is here will be a nurse too. Can you imagine three generations of nurses in public health care? That is really all that I need to say. Marilyn Reynolds works more directly with her and she will give you more interesting details."

Marilyn Reynolds spoke. "I was asked to say a little something so I put together this all, but on a serious note practically everything has been said. I have had the privilege and the blessing of working with Margaret for almost ten years and Margaret certainly has the flexibility. The only thing that she has ever said no to is that she will not be a CPR Instructor with me, but everything else, whatever is brought up, she is right there and even though she is only part time you would never know it. She works her schedule and we are trying to fit in flu clinics right now and then the H1N1, oh my goodness, but she just said you give me the schedule and I will work my schedule around it and that is just how wonderful she is.

"She is an excellent teacher and students ask for her because she is such a good teacher, and I think the most exciting thing for me as a Public Health Nurse is she has worked long enough at Tioga County Health Department that she sees people who were babies and are now mothers, so she is actually spanning three generations of people now. That is really exciting to have somebody who has been here so long."

Hans Peeters, Public Health Director, spoke. “I do not work with Margaret that often, but I do hear a lot of good things about her. One thing is that she is from Alfred University and if you are not aware of it that is in Allegany County where I used to work. I want to thank her for doing that and I was on one of the committees over there.

“I have heard nothing but good things. She is loyal, professional, all the other stuff that you always hear from employees, but she does promote Public Health and that is the key to the nursing staff. I am sorry Margaret I left my umbrella in the car. She does do presentations and she brings an umbrella for covering all the stuff that Public Health gets. I brought it and I left it in my car.

“She has been a great employee. She is a role model for others and she is definitely devoted to her profession. Apparently this is her year for awards. She has gotten an award in our department for team member and now she has gotten a county award, and there will be other ones coming her way before the end of the year is over that she is not aware of. I just do want to say that when she talked to our whole department she showed what public health is all about, and Margaret is what I consider public health. She is a great gal and I am happy to have her, and like I said she is really what I consider a true public health professional. Thank you.”

Legislator Huttleston presented a plaque and an award to Margaret Shuler. “This is quite an honor and I want to say that it is not this legislative body that makes this county what it is, it is people like Margaret that makes the county what it is. We have a lot of good employees and we really appreciate them and it makes my job easier and congratulations.”

Margaret Shuler spoke. “Well I have to say that when you work for such a great place with such great people I sometimes am in awe of my coworkers, how can you not do a good job? I have some coworkers so dedicated. The clock means nothing to them. They do what they need to do to get the job done and it has been a privilege working under such terrific people and with such terrific people. It really is a team effort. It is almost embarrassing for me to get this award because I feel like it is all of us in my department.

“I am going to tell a very quick little story. I know you have a lot of stuff to get done here, but it kind of tells how I feel about public health in the county. About twenty-five years ago my husband and I were in a little town in Montana for about three or four months called Winifred, Montana with two hundred residents. During the three months we were there we did get to know everybody pretty well because when there is only two hundred you do. About 50 lived in town and the rest were all ranchers that lived over thousands of acres around the town.

“Well when we got talking with different ranchers we heard a neat story from one of the ranchers and he admitted that he was the new guy on the block. He had only been there about thirty years and most of the other ranchers had inherited their ranches from their fathers and grandfathers, and someone asked him how he ended up coming out there and he said that he came from South Dakota, sold his ranch there and moved into Winifred, Montana and bought a ranch there.

“The first year he was there, when it came time to plant he got very sick. I never did find out what the problem was, but he ended up in the hospital for several months and then when he actually got out of the hospital he had to go for appointments a lot so they stayed in Town for six months because if you do not know this about Montana they have very special soil and if it gets wet it will rip the fenders off your car or truck so you do not go anywhere when it gets wet. Because they needed to get to town they stayed in the small town so they could get to medical facilities. Well while he was in town the fellow ranchers planted his crops for him and when he got back he could not believe that they planted them. He was still sick enough when it came time to harvest them so they all harvested his crops for him. He said to us how could I not stay? We had thought that I would not be able to stay because we were not going to be able to have a crop and I would not be able to afford to stay, but after the people did something like that how could I not stay and I have to say that about the county and the health department.

“I have flexed for them, but they have flexed for me. When I had my children, when I wanted to go to Alaska with my husband and take an unpaid leave, when I went through cancer treatments seven years ago, they flexed for me. How can I not stay is what I want to say. It has been a privilege working for the health department. It has been exciting. It is not a boring job. Every time I think I know enough about one thing they toss me to something else so it is like I have done fifteen different jobs. The twenty-five years have gone awfully fast. I have learned a lot. I have grown up as a nurse at the health department and I do love Public Health. Thank you so much.”

Legislator Weston asked for a motion to pass all four Recognition Resolutions Unanimously. Moved and seconded unanimously, and carried unanimously.

Legislator Huttleston read and presented the following Recognition Resolution to Shawn Yetter in Lynn Wool’s absence.

REFERRED TO: HEALTH & HUMAN SERVICES

**RESOLUTION NO. 241-09 *RECOGNITION OF LYNN WOOL'S
YEARS OF SERVICE
SOCIAL SERVICES***

**Adoption moved unanimously,
Seconded unanimously.**

WHEREAS: Lynn Wool began her career as a Social Welfare Examiner for the Department of Social Services on October 23, 1989 and was promoted to Managed Care Coordinator on November 1, 1993 – the title she holds today; and

WHEREAS: Ms. Wool has seen many changes within the Social Services Department in her nearly twenty years with them and has grown in these changes; and

WHEREAS: Ms. Wool will retire on September 26, 2009; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Lynn Wool for her nearly twenty years of service to Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Lynn Wool.

CARRIED UNANIMOUSLY

“Shawn Yetter, Commissioner of Social Services, spoke. “Even though Lynn is not here this evening I do just want to briefly mention and thank Lynn publicly for her 20 years of service to the Department of Social Services. Lynn as many of our employees are is one of those individuals who comes to work everyday to work hard and is dedicated to the people of the county, and as a Managed Care Coordinator had a very unique roll and embraced that role and did it very efficiently and very effectively.

“One thing very special about Lynn was she was always willing to come to the forefront in regards to community involvement. She would take on some of the meetings that many of us either did not have the time to do or did not have the desire to do frankly, and she would always step up for some of those medically-related meetings and go out and do things and represent administrative staff in a very competent and well way for the people of the county, and I just want to publicly thank Lynn for that. She is in Rochester tonight doing the closing for her

home. I think literally within hours after retiring she is moving to Rochester to be near her family and expectant grandchild, and we wish Lynn all the very best.”

Legislator Huttleston read and presented the following Recognition Resolution to Carol Roadcap.

REFERRED TO: HEALTH & HUMAN SERVICES

RESOLUTION NO. 242-09 *RECOGNITION OF CAROL A. ROADCAP'S
YEARS OF SERVICE
SOCIAL SERVICES*

Adoption moved unanimously,
Seconded unanimously.

WHEREAS: Carol Roadcap began her career as a Temporary Clerk-Typist for the Department of Social Services on July 27, 1983 and was made permanent in that position on February 6, 1984, and was promoted to Social Welfare Examiner on March 17, 1986 – the title she holds today; and

WHEREAS: Ms. Roadcap has seen many changes within the Social Services Department in her twenty-six years with them and has grown in these changes; and

WHEREAS: Ms. Roadcap will retire on October 3, 2009; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Carol Roadcap for her twenty-six years of service to Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Carol Roadcap.

CARRIED UNANIMOUSLY

Legislator Huttleston spoke. “What was it Kenny Rogers said, you picked a fine time to leave us, 600 children and the crops in the field.”

Shawn Yetter, Commissioner of Social Services, spoke. Carol, I would like to thank you and congratulate you on behalf of the Department and the County for your years of services to Tioga County and the Department of Social Services. Carol likewise is an employee who came to work everyday dedicated to her job and worked very hard, and the number of people that she assisted in the county could not even begin to be counted.

“Carol I look around this room tonight and I think there are more DSS retirees here than we have current employees. You are now joining the ranks of a group of people who look a lot better now than they did when they worked. You have something to look forward to Carol. We recognized Carol when she celebrated her twenty-fifth year this past spring and I am not going to repeat everything I said at that event, but there is one story I have got to tell Carol because Eleanor is here.

“I spent some time talking about the fact that Carol is the ideal employee because her personnel file is just plain boring, there is not much in it, and that is what you want after 26 years, you want a real thin personnel file, but there are two things in there and I will just mention what one of them is. One of them is a memo that Eleanor, who all of us from DSS remember very fondly from working with her, had to send you a memo in 1984 because you had advised a fellow employee who was calling in sick that you thought they had better get to work, and Eleanor just wanted to let you know that that kind of advice should just come from a Supervisor, however I did let Carol know Eleanor that she can take those calls anytime she wants from employees calling in sick.

“The important thing to know about Carol is that not only have you helped so many people and your work has been so important to the residents of Tioga County, but the important thing that I always appreciate about Carol is that she is just so honest and upright, and she is who she is. You get the full package when you look at Carol and you know what you are getting. She is integrity and she is hard work, and on behalf of all of us at the Department we thank you and we wish you the happiest and finest retirement.”

Carol Roadcap spoke. “I do not know what to say. I have loved my job and I have always loved my job. I really do not want to go. They are not kicking me out the door, but something just struck me and I thought this is the time. My boyfriend and I would like to spend some time traveling. We both have nice new vehicles at this point and I got myself a hot tub. I will be doing a lot of stuff in the hot tub and the car. I just want to say thank you to everybody. It has been a wonderful career and I am going to miss everybody very much. Thank you.”

Legislator Roberts read and presented the following two recognition resolutions to William Caloroso and Samuel Thomas.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 243-09

***RESOLUTION RECOGNIZING
WILLIAM E. CALOROSO'S
15 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY***

**Adoption moved by Unanimously,
seconded by Unanimously.**

WHEREAS: William E. Caloroso was appointed to the position of Board Member of the Tioga County Industrial Development Agency on 1/1/94 and appointed to the position of Board Member of the Tioga County Local Development Corporation on 1/1/94; and

WHEREAS: William E. Caloroso has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 15 years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William E. Caloroso will retire from the Tioga County Industrial Development Agency and the Tioga County Local Development Corporation Board of Directors on December 31, 2009; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William E. Caloroso for his 15 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, William E. Caloroso.

CARRIED UNANIMOUSLY

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 244-09

***RESOLUTION RECOGNIZING
SAMUEL F. THOMAS' 15 YEARS
OF DEDICATED SERVICE TO
TIOGA COUNTY***

**Adoption moved Unanimously,
seconded Unanimously.**

WHEREAS: Samuel F. Thomas was appointed to the position of Board Member of the Tioga County Industrial Development Agency on 7/01/94 and appointed to the position of Board Member of the Tioga County Local Development Corporation on 2/14/96; and

WHEREAS: Samuel F. Thomas has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 15 years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Samuel F. Thomas has retired from the Tioga County Local Development Corporation Board of Directors and will retire from the Tioga County Industrial Development Agency Board of Directors on December 31, 2009; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Samuel F. Thomas for his 15 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, Samuel F. Thomas.

CARRIED UNANIMOUSLY

Doug Barton, Director of Economic Development & Planning, spoke. “Aaron Gowan, Chair of the Tioga County IDA, had planned to be here to honor Bill and Sam, but some unexpected business has kept him from being here and he extends his appreciation for your years of service.

“I have had the pleasure of working with Sam and Bill on the IDA and LDC Boards for the last six years, but I have also known and worked with them prior to that. I worked under Bill as a Legislator and with Sam as a local banker. Bill’s commitment to the community has been through Town and County Government among other things. Sam’s commitment to the community was obvious through his work at Community Bank. Community strength comes from many different things. It is history. It is jobs. It is schools. It is culture and leaders to name just a few, but to me what truly defines a community and makes a community stand out are the people who freely volunteer their time and talent. We see this in our Churches, our community organizations, our youth sport’s programs, cultural organizations, and a multitude of boards that exist. That is where Sam and Bill have excelled. They have freely committed that time and their time to the IDA and LDC Boards for over 15 years, over 15 years of monthly meetings, 15 years of serving on special committees for those Boards, over 15 years of helping Tioga County’s businesses

survive and thrive. On behalf of these Boards and personally I want to thank you both, but more importantly the community thanks you both. Thank you.”

Legislator Oberbeck read and presented the following Proclamation on the 2009 Cornell Cooperative Extension Week and the National 4-H Week to Autumn Lavine of Cornell Cooperative Extension.

**2009 Cornell Cooperative Extension Week
and National 4-H Week
PROCLAMATION**

WHEREAS: Cornell Cooperative Extension of Tioga County (CCE Tioga) enables people to improve their lives and communities through partnerships that put experience and research knowledge to work; and

WHEREAS: CCE Tioga is a nonprofit association led by volunteers from across Tioga County and is part of Cornell Cooperative Extension, a partnership between federal, state, and county governments, as authorized by NYS County Law 224 and the Federal Smith Lever Act; and

WHEREAS: CCE Tioga serves the residents of Tioga County through **4-H Youth Development** programs that provide opportunities for youth to have fun, learn life skills, and work with caring adults, including 4-H clubs; the Tioga County Youth Fair, PYLI Youth Leadership Training, the Phoenix Kids Café; Tractor Safety, Shooting Sports, Living History; Giant Pumpkin and Incubation and Embryology programs, and

WHEREAS: CCE Tioga also serves the residents of Tioga County through **Agriculture and Natural Resources** programs that assist dairy, livestock, and fruit and vegetable farmers with business development, production, marketing, and management issues; and by supporting the development and expansion of Farmers’ Markets; by assisting landowners in finding answers to questions related to land use; and by partnering with other entities in efforts to increase consumer awareness, understanding, and appreciation of local agriculture; and

WHEREAS: CCE Tioga also serves the residents of Tioga County through **Family Development** programs that help adults gain knowledge and build skills for nurturing the development of children, including the Owego and Waverly Family Resource Centers and the Reunification program, which helps place foster children back with their parents; and

WHEREAS: CCE Tioga also serves the residents of Tioga County through **Community Nutrition and Wellness** programs that improve diet quality, reduce food insecurity, improve food safety practices and improve food resource management skills among food stamp recipients in Tioga County; by training and organizing the Tioga County Master Gardeners; by encouraging and supporting the development of community gardens; and by working with health professionals and local agencies to find effective ways to address health issues such as childhood obesity; and

WHEREAS: CCE Tioga also serves the residents of Tioga County by supporting **Community Development** programs and partnerships that encourage broad based, sustainable economic development, personal leadership development and/or active participation in community decision-making including Tioga REAP, LDC and the Tioga-Broome Reality Check program; and

WHEREAS: October 4th through 10th is being recognized as National 4-H Week across the United States, and CCE Week across New York State; therefore

THE TIOGA COUNTY LEGISLATURE hereby designates the week of Oct. 4th to Oct. 10th, 2009 as
 Cornell Cooperative Extension Week
 and National 4-H Week in Tioga County

Autumn Lavine from Cornell Cooperative Extension spoke. “On behalf of Cornell Cooperative Extension and the Tioga County 4-H Program I am very happy to accept this Proclamation and the Tioga County 4-H Program looks forward to many more years of serving the youth of Tioga County. Thank you.”

“Legislator Sauerbrey read and presented the following Proclamation on the 2009 Tioga Opportunities Angel Action Group Workcamp to Kathleen Horner, Executive Director, Dave Woodburn, Deputy, and Shawn Yetter, President Board of Directors. “This is a perfect example of a community working together to help everybody.”

**2009 Tioga Opportunities
 Angel Action Group Workcamp
 PROCLAMATION**

WHEREAS: On July 26, 2009 over 400 volunteers arrived in Owego from Colorado, Massachusetts, Delaware, New Hampshire, Illinois, Pennsylvania, Maryland, Maine, Michigan, New Jersey, New York and Connecticut to attend a summer Group Work Camp; and

WHEREAS: This was Tioga Opportunities, Inc. third year working with the Group Workcamp Foundation to provide free home repairs for the elderly, disabled and low income families in Tioga County; and

WHEREAS: During the 2009 Group Workcamp, home improvements were made to 48 homes in Apalachin, Barton, Berkshire, Candor, Campville, Lockwood, Newark Valley, Owego, Richford, Spencer, and Van Etten; and

WHEREAS: In five days over 15,000 hours of volunteer work was performed by teenagers and adult leaders representing faith based organizations from 12 different states; and

WHEREAS: Owego-Apalachin Schools provided shelter and food. The cafeteria staff prepared and served over 6,000 meals; and

WHEREAS: Tioga Opportunities received \$14,625.00 in contributions from Visions Federal Credit Union, Scott Smith & Son, Owego Rotary Club, Owego Kiwanis, Apalachin Lions Club, Tioga State Bank, Chemung Canal Trust, Jeanne Dunham and Gertrude Baker; and

WHEREAS: In addition to working on homes, the volunteers donated over 2,500 pounds of non-perishable foods which was dispersed to 9 local food pantries; therefore be it

RESOLVED: That the Tioga County Legislature extends our appreciation to the Angel Action Group Workcamp Foundation, Owego-Apalachin Schools, local municipalities, local businesses, service and church organizations, local media and all individuals who helped make the 2009 Angel Action Group Workcamp a success.

Legislator Sauerbrey spoke. "Thank you to Tioga Opportunities for having the vision and the foresight to see and bring this benefit to us."

Kathleen Horner, Executive Director, spoke. "Thank you and thank you very much for the recognition. This is one of those events that not only make me very proud to be part of Tioga Opportunities, but also very proud of this community because in addition to the fact that we had so many people coming here and that we shared our community, the community gives back so much to the volunteers that we had the record number of return visits by children who had opportunities to go to hundreds of other places throughout the country. In addition to that, the generosity of the community and the support from the community has made us a training ground for other volunteer organizations who might be interested in this program.

"This started out as a little newspaper clip that I saw in some newsletter three or four years ago, and with that I went to the Board of Directors who thought I was a little crazy, but who supported me in a let's try it, let's see what happens, and it has really grown into a major event that I am really proud of and that we have helped so many families and so many homes improve the environment throughout the community. I also want to express my great thanks and appreciation to Shawn as the Board President of our organization, but also to Dave Woodburn who serves as the Deputy and the catchall for all things that do not fit in any of the other departments, and this program was "oh by the way did you know that this is one of your jobs", and he has done a wonderful job and I am really proud of him for the effort too that he has made."

Jim Parente had privilege of the floor. “I hate to put a damper on all these wonderful things that have been going on so far, people retiring and all the volunteers and the wonderful things that people have done by talking about assessments because I know no one likes that. I have been a resident of Tioga County for my entire life except for the years I was away at college. There are two things that I would like to address the Legislature concerning and I realize I have five minutes to do so.

“The first is concerning the assessment system in the Town of Barton. Supposedly in the Town of Barton the assessment system has gone to a market value type of system. That is not really being done. There are people who are being over assessed. There are people who are being under assessed and there are other people who are receiving fair assessments. I do not know if the Legislature can help in this. These are very very hard times and I think people need to take some hard looks at what is going on in the Town of Barton.

“I was put through the process this year. In 2006 I built a home outside of Waverly. This past spring I saw my assessment skyrocket. When I went to the assessor I was told when I asked why this was done, I was told because I was undervalued. My property was undervalued, under assessed. If I did not like it then I could go to grievance night and grievance committee which I chose to do. When I went to grievance committee I was denied even though when I went on line and checked to see comparable properties I was indeed over assessed in my opinion. I went to the Town of Barton Board and was told nothing could be done for me. I could go to Small Claims Court which I did do. That resulted in my assessment being reversed to what I had originally asked for. The problem is I do not think a taxpayer should be put through the time, the aggravation, the money, and the effort that I had to go through to get my assessment reversed to what could have been done in the first place.

“What this is going to result in is I am putting my property up for sale. This is the house I was going to retire in in Waverly. In the spring it will be put up for sale and I will be leaving New York. We should be attempting to draw people here and as I said I have been a resident of this County except for the years I was in college my entire life and my wife and I are going to be leaving. I think something ought to be done. I think some hard looks ought to be looked at and seen, and we should be trying to bring not only people here and young people here, but business here as well, not drive them out. I know as a Legislature it is a tough task to try to bring businesses in, but I think you have to work very very hard to bring in businesses and try to take the tax burden off of the backs of individuals and taxpayers.

“In Chemung County they have done this. The taxes in Chemung County have gone down or stayed the same in the last 10 years and it has done so by bringing in businesses to help share the burden of the taxation. I do not know if the Legislature can help at all. Other people were too intimidated to speak out. There were a number of people who talked to me and expressed the same views I have, but were to intimidated or scared to speak out for fear that their assessments would be increased even more than they already are. I will probably go through this procedure again this coming year and it is a sad commentary that a taxpayer has to be put through this, and the fact that my assessment was reversed and I am still paying taxes higher than anyone in our neighborhood even though other properties are very comparable to mine. To make a long story short it is neither fair, it is neither right. I did not ask for favors. I did not ask for bailouts. I asked for fairness. This was not done in the Town of Barton. As I said come spring my house will be put up for sale and I will be leaving. I appreciate the time to speak. Thank you.”

Kathy Roush had privilege of the floor. “I have a few remarks on behalf of the Retirees Association. Carol is still here. When you are not in the hot tub or in your car there is another job for you. Several months ago the County Personnel Officer contacted the President of our Tioga County Retirees Association to suggest a meeting at which she could present the changes being considered for retiree health benefits. Since then there have been several meetings held that included the Personnel Officer, the Benefits Coordinator, and Officers of the Retirees Association. We discussed the health benefit changes being considered by the Legislature and we were asked if we thought the retirees would voluntarily agree to changes in our benefits that would be less costly to the County. Input regarding this question was obtained from the retirees by way of a survey which indicated that a majority of those County retirees who returned the survey would be willing to voluntarily increase their contribution to their health insurance by up to \$10.00 a month. This was based on our understanding that health insurance costs have and are increasing which we understand, although any increase is rough since the vast majority of retirees are on a fixed income. We have lots of retirees in their 70s and 80s, and 90 for that matter.

“As one retired public health nurse said to me however we need to show the Legislators we are givers, not just takers. The Retirees Association is appreciative of the outreach efforts of the Personnel Officer who has extended to us the courtesy of explaining possible changes to our benefits before it was decision making time and has asked for our input. Similarly I appreciate recent opportunities at committee meetings and a Legislative worksession to explain and elaborate on the retiree’s position. Thank you.”

The list of audited bills was submitted and is summarized as follows:

| <u>Code</u> | <u>Description</u> | <u>Equipment</u> | <u>Expense</u> |
|-------------|------------------------------------|------------------|----------------|
| A1010 | Legislative Board | | 745.53 |
| A1165 | District Attorney | | 12,976.81 |
| A1170 | Public Defender | | 2,182.39 |
| A1172 | Assigned Counsel | | 16,614.03 |
| A1325 | Treasurer | | 787.50 |
| A1345 | Purchasing | | 61.89 |
| A1355 | Assessments | | 178.15 |
| A1410 | County Clerk | | 427.71 |
| A1411 | Department of Motor Vehicles | | 3,162.52 |
| A1420 | Law | | 2,516.72 |
| A1430 | Personnel | | 978.24 |
| A1450 | Elections | 479.65 | 1,513.00 |
| A1460 | Records Management | | 74.45 |
| A1490 | Public Works Administration | | 304.06 |
| A1620 | Buildings | 186.83 | 74,019.93 |
| A1680 | Information Technology | | 10,486.24 |
| A2960 | Education of Handicapped Children | | 184,647.48 |
| A3020 | Public Safety Communication E911 | | 5,314.08 |
| A3110 | Sheriff | 323.15 | 12,538.17 |
| A3110.41 | Sheriff-Court Attendants | | 4,157.78 |
| A3117 | Sheriff LEO7-1003-E00 Grant | 9,450.00 | |
| A3140 | Probation | | 632.24 |
| A3142 | Alternatives to Incarceration | | 1,393.25 |
| A3146 | Sex Offender Program | | 8,766.67 |
| A3150 | Jail | | 42,381.76 |
| A3410 | Fire | | 5,381.34 |
| A3640 | Emergency Mgmt Office | | 491.99 |
| A3653 | EMO Grant Education | 375.00 | |
| A4010 | Public Health Nursing | 559.90 | 43,553.20 |
| A4011 | Public Health Administration | 135.99 | 3,752.97 |
| A4012 | Public Health Education | 1,790.20 | 8,146.75 |
| A4042 | Rabies Control | | 1,689.50 |
| A4044 | Early Intervention | | 49,849.93 |
| A4053 | Preventive/Primary Health Services | | 162.82 |
| A4054 | Preventive Dental Services | | 2,775.33 |
| A4064 | Managed Care-Dental Services | | 15,778.35 |
| A4070 | Disease Control | | 3,546.25 |
| A4090 | Environmental Health | | 6,689.70 |
| A4210 | Alcohol and Drug Services | | 27,557.53 |
| A4211 | Council on Alcoholism | | 21,122.66 |
| A4309 | Mental Hygiene Co Admin | | 9,061.17 |

| | | |
|--------------------------|--------------------------------|-----------------|
| A4310 | Mental Health Clinic | 116,961.33 |
| A4315 | Mental Retardation | 25,454.24 |
| A4320 | Crisis Intervention Services | 11,902.14 |
| A4321 | Intensive Case Management | 2,084.57 |
| A6010 | Social Services Administration | 72,887.53 |
| A6422 | Economic Development | 167.56 |
| A6510 | Veterans' Service | 30.00 |
| A6610 | Sealer of Weights & Measures | 771.42 |
| A7310 | Youth Programs, Refundable | 21,985.53 |
| A8020 | Planning | 40.00 |
| A9060 | Health Insurance | 2,504.92 |
| SOLID WASTE FUND | | 94,584.09 |
| COUNTY ROAD FUND | | 113,836.92 |
| SPECIAL GRANT FUND | | 15,615.47 |
| CONSOLIDATED HEALTH FUND | | 900,098.86 |
| CAPITAL FUND | | 101,142.44 |
| LIABILITY INSURANCE FUND | | 1,470.87 |
| WORKERS' COMP | | <u>6,633.00</u> |
| GRAND TOTAL | | \$2,087,891.70 |

Legislator Sauerbrey made a motion to approve the minutes of August 11, 2009, seconded by Legislator Roberts, and carried.

Chair Weston made the following appointment to the Broome-Tioga Workforce Development Board:

Economic Development & Planning Director – 7/1/09-6/30/12

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 245-09

*APPOINT MEMBER TO THE
TIOGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY
(TCIDA)*

Adoption moved by Legislator Monell,
seconded by Legislator Oberbeck.

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Samuel F. Thomas has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past fifteen years on the Tioga County Industrial Development Agency (TCIDA) Board of Directors; and

WHEREAS: Samuel F. Thomas has expressed he will resign from the Tioga County Industrial Development Agency Board of Directors on December 31, 2009; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Dean Daniels has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); now therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Dean Daniels to replace Sam Thomas' position on the Tioga County Industrial Development Agency Board of Directors effective January 1, 2010.

CARRIED

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 246-09

*APPOINT MEMBER TO THE
TIOGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY
(TCIDA)*

**Adoption moved by Legislator Monell,
seconded by Legislator Oberbeck.**

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: William E. Caloroso has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past fifteen years on the Tioga County Industrial Development Agency (TCIDA) Board of Directors; and

WHEREAS: William E. Caloroso has expressed he will resign from the Tioga County Industrial Development Agency Board of Directors on December 31, 2009; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Kevin Dougherty has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); now therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Kevin Dougherty to replace William Caloroso's position on the Tioga County Industrial Development Agency Board of Directors effective January 1, 2010.

CARRIED

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 247-09

***ERRONEOUS ASSESSMENT
TOWN OF CANDOR***

Adoption moved by Legislator McEwen,
seconded by Legislator Oberbeck.

WHEREAS: An application for corrected tax roll indicates that property no. 2207 assessed to Paul Zamoiski and Alicia Schultz on the 2009 tax roll of the Town of Candor is erroneous in that the property was assessed for 79.20 acres and a survey determined the parcel has only 60 acres, therefore the assessment was lowered from \$3,160 to \$2,400; and

WHEREAS: The \$3,160 assessment on property no. 2207 was also used for the 2008/2009 school taxes which were returned as unpaid and relieved to the 2009 town and county tax bill; and

WHEREAS: The 2009 taxes for property no. 2207 assessed to Paul Zamoiski and Alicia Schultz, including the relieved school tax amount were paid 5/6/09; be it therefore

RESOLVED: That a refund of \$357.25 be issued to Paul Zamoiski and Alicia Shultz for overpayment of the 2009 taxes for property no. 2207; and be it further

RESOLVED: That the erroneous town tax of \$54.65 be charged back to the Town of Candor and the erroneous fire tax of \$14.77 be charged back to the Candor Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$3.67 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$183.89 be charged back to the Candor School District; and be it further

RESOLVED: That the erroneous county tax and school penalty of \$100.27 be charged to the proper account in the records of the County Treasurer.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

**ED&P COMMITTEE
FINANCE COMMITTEE**

RESOLUTION NO. 248-09

***APPROPRIATION OF
ADDITIONAL REVENUE FOR
THE SNOWMOBILE GRANT
PROGRAM – ECONOMIC
DEVELOPMENT & PLANNING***

**Adoption moved by Legislator Monell,
seconded by Legislator Oberbeck.**

WHEREAS: The Snowmobile Grant Program, per Resolution 65-09, received an unanticipated additional funding of \$18,545 for the 2009 calendar year; and

WHEREAS: The Snowmobile Grant Program received the final adjusted 30% funding of \$4,945.07 for the 2009 calendar year; therefore be it

RESOLVED: That the additional \$4,945.07 be appropriated from A3989 State Aid Snowmobile Grant Program to Snowmobile Grant Account A7180.40-590.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 249-09 *TRANSFER OF FUNDS*
PUBLIC HEALTH

Adoption moved by Legislator Huttleston,
Seconded by Legislator Oberbeck.

WHEREAS: The costs of the mandated Handicapped Education Program (3-5) and Early Intervention (EI) program have increased due to the increased number of children in the programs, as well as the high level of need for mandated services; and

WHEREAS: Additional funding is needed to meet the costs of the Handicapped Education and Early Intervention programs in 2009; and

WHEREAS: The Legislature directed Public Health to reduce the budgeted funds in the 2009 County budget to reduce potential taxation in case it was not needed; with the understanding that if needed, the funding would come from County contingency funds in 2009; and

WHEREAS: Public Health has determined the amount of additional funding needed for both mandated programs through the balance of 2009; and

WHEREAS: Public Health is not requesting the entire amount projected as needed for the balance of 2009, with the intent of delaying the request of some of the needed funds until later in 2009 to allow for any decreases in costs that could result from an unanticipated drop in the number of clients and/or less mandated services in the coming months; and

WHEREAS: The additional costs of the Handicapped Education and Early Intervention programs will result in additional revenue and state aid reimbursement, decreasing the amount needed from County contingency funds; and

WHEREAS: Transfer of funds requires Legislative approval, therefore be it

RESOLVED: That funds be transferred as follows:

| | | |
|-------------------------|--|-------------------|
| From: A1610.16 | Handicapped Education Fees | \$ 50,000 |
| A1610.17 | Early Intervention Fees | \$ 94,788 |
| A3460.00 | State Aid: Handicapped Education | \$ 242,347 |
| A1990.40-715 | County Contingency Account | \$ 262,185 |
| | | |
| To: A2960.40-590 | Handicapped Education- Contractual Services | \$491,340 |
| A4044.20-130 | Early Intervention- Equipment | \$ 6,180 |
| A4044.40-140 | Early Intervention- Contracting Services | \$ 151,800 |

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

**REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE**

**RESOLUTION NO. 250-09 APPROPRIATION OF FUNDS
PUBLIC HEALTH**

**Adoption moved by Legislator Huttleston,
Seconded by Legislator Oberbeck.**

WHEREAS: Tioga County Public Health has been awarded the “Give Kids A Smile” grant from the NYS Dental Foundation for exemplary provision of services by the Mobile Dental Services program to the residents of Tioga County, particularly to the non-insured and underinsured children of our County; and

WHEREAS: The grant award is intended for any necessary improvements in the program for children, including the maintenance and upgrades to the Mobile Dental Services facilities; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

| | | |
|-------------------------|-------------------------------------|-----------------|
| From: A1610.20 | Dental Van Fees | \$ 5,000 |
| | | |
| To: A4064.40-595 | Dental Van Services Rendered | \$ 5,000 |

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 251-09 *TRANSFER FUNDS FROM
 EAST RIVER RD BRIDGE
 TO COURT HOUSE
 PROJECT*

Adoption moved by Legislator Roberts,
 seconded by Legislator Huttleston.

WHEREAS: The Tioga County Legislature has authorized the Commissioner of Public Works to do Court House exterior renovations; and

WHEREAS: The costs for this work has come in over the amount budgeted; and

WHEREAS: The East River Rd. Bridges Project is completed and has an excess of \$210,000; therefore be it

RESOLVED: That the sum of \$210,000 is hereby appropriated as follows:

| | |
|---|-----------|
| From: East River Rd. Bridges Account H2007.06 | \$210,000 |
| To: Court House Ext. Renovation H1620.20-927 | \$210,000 |

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 252-09 *AWARD BID FOR COURT HOUSE
 PROJECT*

Adoption moved by Legislator Roberts,
 seconded by Legislator Huttleston.

WHEREAS: The Commissioner of Public Works budgeted money in the 2009 Capital Projects budget for Court House Exterior Renovations; and

WHEREAS: Sealed bids were scheduled to be opened in August with no bids received; and

WHEREAS: A re-bid was scheduled for Thursday, September 10, 2009 and the results are as follows:

| | | |
|-------------------------------|-----------------------|------------------|
| 1. W.L. Kline | Binghamton, NY | \$291,000 |
| 2. LaChase | Rochester, NY | \$324,700 |
| 3. Marchuska Bros. | Endicott, NY | \$326,911 |
| 4. Traver Construction | Ithaca, NY | \$579,000 |

therefore be it

RESOLVED: That the Tioga County Legislature award the Court House Exterior Renovation bid to the low bidder W.L. Kline, Binghamton, NY in the amount of \$291,000 to be paid out of Court House Exterior Renovation Account H1620.20-927.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 253-09

***AWARD CONSTRUCTION BID FOR
SOUTHSIDE DRIVE BRIDGE TO
R. DEVINCENTIS***

Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.

WHEREAS: Tioga County is receiving stimulus grant money in the amount of \$1.5M for the replacement of the Southside Drive Bridge over Pumpelly Creek (BIN 3335530); and

WHEREAS: August 10, 2009 bids were opened for the Replacement of the Southside Drive Bridge over Pumpelly Creek (BIN 3335530); and

WHEREAS: The bid results were as follows:

| | | |
|--------------------------------------|----------------|----------------|
| 1. R. DeVincentis Construction, Inc. | Binghamton, NY | \$1,224,000.00 |
| 2. Vector Construction Corp. | Cicero, NY | \$1,262,289.50 |
| 3. Barrett Paving Materials, Inc. | Liverpool, NY | \$1,274,663.63 |
| 4. Economy Paving Co., Inc. | Cortland, NY | \$1,286,018.52 |
| 5. Procon Contracting, Inc. | Vestal, NY | \$1,415,000.00 |
| 6. Fahs Construction | Binghamton, NY | \$1,428,880.50 |
| 7. Silverline Construction | Burdett, NY | \$1,433,437.50 |

And

WHEREAS: McFarland Johnson Inc., Binghamton, NY has reviewed the bid proposals and recommends awarding the project to the low bidder R. DeVincentis Construction, Binghamton, NY, which satisfies the requirement for qualifications; therefore be it

RESOLVED: That the Tioga County Legislature award the bid for the replacement of the Southside Drive Bridge (BIN 3335530) to the low bidder R. DeVincentis, Binghamton, NY not to exceed \$1,224,000.00 to be paid out of Southside Drive Bridge H2008.08.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 254-09

***AWARD CONSTRUCTION
INSPECTION CONTRACT TO
MCFARLAND JOHNSON FOR
SOUTHSIDE DRIVE BRIDGE***

Adoption moved by Legislator Roberts,
seconded by Legislator Monell.

WHEREAS: The Southside Drive Bridge (BIN 3335530) Project over Pumpelly Creek in the Village of Owego, NY will require inspection services during the duration of the project; and

WHEREAS: McFarland Johnson Engineers, Binghamton, NY has successfully completed the NYSDOT Selection process for engineering services; therefore be it

RESOLVED: That the Tioga County Legislature approve the hiring of McFarland-Johnson, Binghamton, NY for inspection services not to exceed \$250,000 to begin immediately with a completion date of November 30, 2010; and be it further

RESOLVED: That these services should be paid out of Southside Drive Bridge Project Account H2008.08.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERREED TO: AG COMMITTEE
ED&P COMMITTEE

RESOLUTION NO. 255–09 *APPLY FOR NYS DAM COUNTY
AGRICULTURAL AND FARMLAND
PROTECTION PLAN UPDATE GRANT*

Adoption moved by Legislator Roberts,
seconded by Legislator Oberbeck.

WHEREAS: The NYS Department of Agriculture and Markets has made available a funding opportunity for counties to update their Agricultural and Farmland Protection Plans that are at least 10 years old and Tioga County’s current plan was approved by the Commissioner of NYS DAM in February 1999 so it is eligible for these funds; and

WHEREAS: This grant source requires a 50% match made up of a combination of cash and in-kind services; and

WHEREAS: Tioga County realizes the importance of protecting local farmland, its significance to the County, and the importance of developing a written protection plan for that farmland; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Plan grant will be submitted at a total of \$30,000, with a \$15,000 request from Ag & Markets plus \$7,000 cash match and \$8,000 in-kind from Planning as well as Tioga County Cornell Cooperative Extension and Tioga County Soil & Water Conservation District, which have both provided support and commitment letters; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to NYS Department of Agricultural and Markets in the amount of \$30,000 and commits a cash match of \$2,000 from the Planning Department budget, along with \$4,000 in-kind from Planning Department staff.

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 256-09 *AUTHORIZATION TO HIRE
 CONSULTANT TO CONNECT TELEPHONE
 EXTENSION TO ELECTRIC METER*

Adoption moved by Legislator Monell,
 seconded by Legislator Sauerbrey.

WHEREAS: The Information Technology and Communication Services Department is responsible for the telephone system for Tioga County; and

WHEREAS: NYSEG installed an electric meter telephone demark box at HHS that requires a dedicated phone connection for NYSEG to monitor this equipment; and

WHEREAS: All-Mode Communications has been selected as the vendor to install the telephone connection; and

WHEREAS: The payment of said services is not to exceed \$1,155.00; therefore be it

RESOLVED: That the Tioga County Legislature authorize Information Technology and Communication Service's Department to hire All-Mode Communications to perform said services at a total payment not to exceed \$1,155.00 and to be paid for out of Information Technology's account A1680.40-140.

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 257-09 *AMEND RESOLUTION NO. 240-09
ACCEPT AUCTION BIDS FOR COUNTY
OWNED PROPERTY ACQUIRED FOR
TAXES, AUTHORIZE EXECUTION OF
DEEDS*

**Adoption moved by Legislator Monell,
Seconded by Legislator McEwen.**

WHEREAS: Resolution No. 240-09 accepted auction bids for County owned property acquired for taxes and authorized the execution of deeds; and

WHEREAS: The bid on the parcel assessed to EE Root & Sons, Inc. in the Village of Owego and the Town of Owego, Tax Map Number 128.11-2-20, was entered incorrectly as \$3,000, as the bid was actually \$3,500; and

WHEREAS: One of the purchaser’s names was incorrectly stated and should have been Ern Hwei Hannah Fong; therefore be it

RESOLVED: That Resolution No. 240-09 be amended as follows:

Town of Owego

Prior Owner; Tax Map #

Purchaser

Bid

128.11-2-20, EE Root & Sons, Inc.

Nathan Kennedy &
Ern Hwei Hannah Fong

\$3,500.00

And be it further

RESOLVED: That the remainder of Resolution 240-09 is in full force and effect.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PERSONNEL COMMITTEE

**RESOLUTION NO. 258-09 AMEND COUNTY POLICY 44:
NON-UNION BENEFITS**

Adoption moved by Legislator Oberbeck,
Seconded by Legislator Monell.

WHEREAS: The Tioga County Legislature is looking at ways to cut costs; and

WHEREAS: Dental insurance has been provided to County employees free of charge; and

WHEREAS: Two of the three unions have previously agreed to discontinue the dental coverage; and

WHEREAS: In an attempt to cut costs, the legislature has determined that the Non-Union employees should be required to either discontinue the dental coverage or pay 100% of the dental premium effective January 1, 2010; therefore be it

RESOLVED: That County Policy 44: Non Union Benefits, Section 5 – Health & Dental Insurance is hereby amended to include a paragraph which states:

“Effective January 1, 2010: Any eligible employee who continues to carry dental coverage shall be required to pay 100% of the premium. Said premium payments shall be processed as pre-tax payroll deductions.”

Legislator Sullivan spoke. “In line with what Legislator McEwen just stated and Legislator Quinlan, these are hard times. The economy has not had an impact on the county. The trickle down effects of the State’s budget woes is having an impact on the county and we do have to take some significant steps to reduce county costs in order not to pass the full brunt of the county’s budget deficit on to the taxpayer. Some union employees have already given up these benefits. This resolution calls for the same for non-union employees, which includes the Legislature, which also includes and impacts me personally. This is one of those steps that are going to have to be taken over the course of this year and next year, and I will be voting in favor of this resolution.”

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PERSONNEL COMMITTEE

**RESOLUTION NO. 259-09 AMEND COUNTY POLICY 44:
NON-UNION BENEFITS**

**Adoption moved by Legislator Oberbeck,
Seconded by Legislator Monell.**

WHEREAS: The Tioga County Legislature is looking at ways to cut costs; and

WHEREAS: The contributions toward health insurance by legislators has not been increased since January 1, 2003 per Resolution 318-02; and

WHEREAS: The Tioga County Legislators wish to do their part to reduce County costs; therefore be it

RESOLVED: That, effective January 1, 2010, the County Legislators shall increase their contributions toward health insurance 100%; and be it further

RESOLVED: That County Policy 44: Non Union Benefits, Section 5, Paragraph 9 shall be amended to reflect the increased contribution amounts for Legislators as follows:

“Effective January 1, 2010: Legislators enrolled in the following plans shall make the following contributions:

| | |
|-------------------------------|------------------------|
| Individual Indemnity | \$30 per month |
| Family Indemnity | \$40 per month |
| Individual H-Split PPO | \$15 per month |
| Family H-Split PPO | \$30 per month” |

Legislator Sullivan spoke. “Referring to my previous comments this is another one of the steps needed to reduce the county budget deficit. Although I will be voting in favor of this resolution I believe that a thorough assessment of the county’s overall compensation package needs to be continued. The personnel committee, the Personnel Officer has been doing a lot of work along those lines and I think we need to continue to look at that as we go forward. I will continue to be a proponent of that activity, but in the meantime I will be voting in favor of this increase.”

On roll call vote on the above resolution, eight members voted Aye, Legislator Roberts voting no, and the resolution was adopted.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 260-09 *AMEND RESOLUTION 50-94
RETIREE HEALTH INSURANCE
CONTRIBUTIONS*

Adoption moved by Legislator Monell,
Seconded by Legislator Oberbeck.

WHEREAS: Resolution 50-94 established contribution rates for retiree health insurance; and

WHEREAS: Resolution 361-01 increased those rates; and

WHEREAS: It has been 8 years since contribution rates for retirees hired prior to 1993 have been adjusted; and

WHEREAS: The Retirees' Association has surveyed their members and found a willingness to increase their monthly contributions by \$10; and

WHEREAS: The County Legislature is appreciative of this offer on the part of the retirees, especially in these tough economic times; therefore be it

RESOLVED: That effective January 2010, retirees who fall into Section IV.A of County Policy 3 shall contribute \$20 per month for individual coverage or \$25 per month for family coverage.

Legislator Sullivan spoke. "I applaud the Retiree's Association's consideration of adjustments to their health insurance and their willingness to offer up this increase. It turns out it will have fairly low impact on the budget and kind of along with my prior comments I would rather see that we continue to look into other options and other alternatives, so I will not be supporting this resolution at this time."

On roll call vote on the above resolution, seven members voted Aye, Legislators Roberts and Sullivan voting no, and the resolution was adopted.

**REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE**

**RESOLUTION NO. 261-09 RECLASSIFY SENIOR CLINICAL SOCIAL
WORKER TO SUPERVISING CLINICAL
SOCIAL WORKER IN THE MENTAL
HYGIENE DEPARTMENT**

**Adoption moved by Legislator Huttleston,
Seconded by Legislator Monell.**

WHEREAS: Resolution 173-09 authorized Lori Monk, Senior Clinical Social Worker, to receive out-of-title pay retroactive to November 25, 2008, as a Supervising Clinical Social Worker in accordance to Article 4, Section E of the CSEA contract; and

WHEREAS: The new Director of Community Services has reviewed the Tioga County Mental Hygiene Department’s current organizational chart and the State Office of Mental Health 2010 clinic restructuring plans; and

WHEREAS: The Director of Community Services has provided justification to the Personnel Officer to reclassify Ms. Monk’s title to that of Supervising Clinical Social Worker in light of the long term needs of the Mental Hygiene Department and of the community in the treatment of clients who are mentally ill and chemically addicted; therefore be it

RESOLVED: That the Tioga County Legislature authorize Lori Monk’s title of Senior Clinical Social Worker (CSEA salary grade XVII) be reclassified to the title of Supervising Clinical Social Worker (CSEA salary grade XVIII) reflective of an annual increase of \$1,971.00, which she presently receives due to Resolution 173-09; and be further

RESOLVED: That Ms. Monk be permanently appointed from the Supervising Clinical Social Worker eligible list, 72435, at her present annual salary of \$50,027.00 effective September 16, 2009.

**Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED**

The meeting adjourned at 7:03 P.M.